

PATENT
Attorney Docket No. TRNSV-013BC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Joshua MAKOWER et al.) Group Art Unit: 3738
Application No.: 09/710,332) Examiner: Unknown
Filed: November 9, 2000)
For: METHODS AND APPARATUS)
FOR TRANSMYOCARDIAL)
DIRECT CORONARY)
REVASCULARIZATION)

7/B
1/9/03
fms

Commissioner for Patents
Washington, DC 20231

RESPONSE TO ELECTION REQUIREMENT

AND

PRELIMINARY AMENDMENT

Dear Sir:

Applicant hereby responds to the Office Action dated November 9, 2002 .
Also, Applicant hereby provides a preliminary amendment for entry prior to
substantive examination of the application.

A. Preliminary Amendment

Please enter the following preliminary amendment:

IN THE SPECIFICATION:

On page 1, immediately beneath the heading "RELATED
APPLICATIONS", please delete the existing paragraph and replace it with the

Attorney Docket No.: TRNSV-013BC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Joshua Makower, et)
al.)
Application No. 09/710,332)
Filed: November 9, 2000)
For: Methods and Apparatus for)
Transmyocardial Direct Coronary)
Revascularization)

Art Unit: 3736

Examiner: Isabella, D.

Commissioner for Patents
Washington, D.C. 20231

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JAN 2 2003

GROUP 3700

Transmittal Letter

Dear Sir:

- ☒ In accordance with Rule 136, the Commissioner is hereby petitioned for a two (2) month extension of time, extending to **January 1, 2003** the period for response to the Office action dated **October 1, 2002**. Check No. ____ for \$0.00 is enclosed.
- ☐ Enclosed is a certified copy of Serial No. _____ from which priority is claimed in the subject case pursuant to 37 CFR § 1.55b and 35 U.S.C. § 119.
- ☐ Enclosed is an Assignment of the invention to [Assignee], including a cover sheet and Check No. [Assignment Check No.] for \$40.
- ☐ A Declaration of Inventorship and Limited Power of Attorney is enclosed.
- ☐ A Certificate of Ownership and Power of Attorney is enclosed.
- ☐ Preliminary Amendment.
- ☒ Enclosed herewith is a response to restriction requirement and preliminary amendment for filing in relation to the above-identified application. Entry and consideration of this response to restriction requirement and preliminary amendment is requested.

- ☐ Check No. — is enclosed covering the additional filing fees in the amount of \$0.00, with the fees calculated as follows:

(Col. 1) Claims Highest No. Remaining After Amendment	(Col. 2) Previously Paid For	(Col. 3) Present Extra	Small Entity Additional Rate Fee	Other than a Small Entity Rate Fee
Total claims	— - 28 = 0	x 9 \$	Or x 18 \$	
Independent claims	— - 1 = 0	x 42 \$	Or x 84 \$	
First presentation of multiple dependent claims		+ 140 \$	Or + 280 \$	
		Total \$	Or Total \$	

- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
Stout, Uxa, Buyan & Mullins, LLP

Date: January 2, 2003

Robert D. Buyan, Reg. No. 32,460

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is transmitted by facsimile to (703) 305-3579 to Commissioner for Patents, Washington, DC 20231, on January 2, 2003.

Dated: January 2, 2003

By:

Robert D. Buyan

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**REGISTERED PATENT AGENT
OUR FILE NO.

TRNSV-013BC

FACSIMILE COVER SHEET

Date: January 2, 2003

To: Commissioner for Patents
Washington, D.C.

Facsimile: 703-305-3579

Re: U.S. Patent Application No. 09/710,332
Applicant: Makower, et al.
Title: Methods and Apparatus for Transmyocardial Direct Coronary
Revascularization

From: Robert D. Buyan

Total Number of Pages: 7 (including this form). Please notify us immediately if you have not received all pages.

Message:

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I hereby certify that this correspondence for Serial No. 09/710,332 is being facsimile transmitted to the Commissioner for Patents at (703) 305-3579 on January 2, 2003.

Name of person sending facsimile: Robert D. Buyan

Signature: 

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